

## ELEVENTH DAY

(Tuesday, January 22, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Harris of Dallas
Adamson	Hartzog
Adkins	Head
Aikin	Herzik
Alexander	Hill
Alsup	Hodges
Ash	Hofheinz
Atchison	Holland
Beck	Hoskins
Bergman	Howard
Bourne	Huddleston
Bradbury	Hughes
Bradford	Hunt
Burton	Hunter
Butler of Brazos	Hyder
Butler of Karnes	Jackson
Cagle	James
Caldwell	Jefferson
Calvert	Jones of Atascosa
Canon	Jones of Falls
Celaya	Jones of Runnels
Clayton	Jones of Shelby
Collins	Jones of Wise
Colquitt	Keefe
Colson	King
Cooper	Knetsch
Cowley	Lange
Craddock	Lanning
Crossley	Latham
Daniel	Leath
Davis	Lemens
Davison of Fisher	Leonard
Davisson	Lindsey
of Eastland	Lotief
Dickison	Lucas
Dunagan	Luker
Dunlap of Hays	Mauritz
Dunlap of Kleberg	McCalla
Duvall	McConnell
Dwyer	McFarland
England	McKee
Fain	Moffett
Farmer	Moore
Fisher	Morris
Fitzwater	Morrison
Ford	Morse
Fox	Newton
Frazer	Nicholson
Fuchs	Olsen
Gibson	Padgett
Glass	Palmer
Good	Patterson
Graves	Payne
Gray	Petsch
Hankamer	Pope
Hardin	Quinn
Harris of Archer	Reed of Bowie

Reed of Dallas	Stovall
Riddle	Tarwater
Roach of Angelina	Tennyson
Roach of Hunt	Thornton
Roane	Tillery
Roark	Venable
Rogers	Waggoner
Russell	Walker
Rutta	Wells
Settle	Westfall
Shofner	Wood of Harrison
Smith	Wood of Montague
Stanfield	Worley
Steward	Young
Stinson	Youngblood

## Absent—Excused

Broyles	Roberts
Greathouse	Scarborough
Reader	Spears

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Spears for today, on motion of Mr. Tillery.

Mr. Reader for today, on motion of Mr. Young.

Mr. Roberts for today, on motion of Mr. Crossley.

Mr. Scarborough for today, on motion of Mr. Jones of Wise.

The following members were granted leaves of absence on account of illness:

Mr. Broyles for today on account of a death in his family, on motion of Mr. Aikin.

Mr. Greathouse for today, on motion of Mr. Daniels.

Mr. Cooper for today, on motion of Mr. Leath.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Tennyson, Mr. Lange, Mr. McFarland, Mr. Walker, Mr. Rogers, Mr. Lotief, Mr. Glass, Mr. Lindsey, Mr. Lanning, Mr. Dunlap of Hays, Mr. Davis, Mr. Bradbury, Mr. Fitzwater, Mr. Shofner, and Mr. Harris of Archer:

H. B. No. 227, A bill to be entitled "An Act defining common carrier pipe lines engaged, or to engage, in the transportation of natural gas; declaring all corporations, persons, partnerships, or associations of persons, now engaged, or to hereafter engage, in transporting natural gas from place to place in this State to be common carriers; declaring such common carriers to be public utilities and making them subject to the provisions of this Act; giving the Railroad Commission of Texas the power to regulate the rate of such transportation by such common carriers; granting them the right to establish, maintain and operate telegraph and telephone lines upon their rights of way in connection with their business, and to build and maintain their lines under and across or along streams, highways and streets as other common carriers within this State; and providing against discrimination in favor of or against individuals, associations of persons, municipal corporations, or corporations in the conduct of their business; requiring them to exchange tonnage with other common carriers, and to receive and transport natural gas tendered to them for transportation, etc., and declaring an emergency."

Referred to Committee on Oil, Gas, and Mining.

By Mr. Alexander:

H. B. No. 228, A bill to be entitled "An Act providing for the payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than 6,800 and not more than 6,900 population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Alexander:

H. B. No. 229, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 6,800 nor more than 6,900, according to the last Federal Census, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Butler of Brazos and Mr. Clayton:

H. B. No. 230, A bill to be entitled "An Act appropriating the sum of eighteen hundred dollars, or so much thereof as may be necessary, out of any monies in the General Revenue Fund of this State, not otherwise appropriated, for the purpose of hiring two additional stenographers for the Governor's office, together with necessary materials, etc., such appropriation to last throughout the current biennium, ending August 31, 1935, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Alsup, Mr. England, Mr. Hunt, and Mr. Craddock:

H. B. No. 231, A bill to be entitled "An Act fixing the salary of the official shorthand reporter in each judicial district of this State, either civil or criminal, in this State; and providing for the manner and source of payment, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Holland:

H. B. No. 232, A bill to be entitled "An Act regulating petitions in suits for divorce, to require such petitions to state whether there are children under sixteen years of age, and if so, to give full information as to such minors, making it the duty of the courts having jurisdiction of such suits to inquire into the status of such children, if divorce be granted; empowering such courts to make orders and decrees for their support and maintenance until they reach sixteen years of age; to determine and fix the amounts to be paid, the times of payment, to whom to be made, to have authority to enforce all decrees by contempt proceedings, and to have control of such decrees, to alter them when justice requires, to ascertain the ability to pay, to enforce the duty of the parents to support their children under sixteen years of age, after divorce, presenting the procedure, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Jefferson and Mr. Nicholson:

H. B. No. 233, A bill to be entitled "An Act declaring the policy of the Legislature to provide for the general welfare by co-operating with the Federal Government in making effective

the provisions of the Texas Barber Law and the National Recovery Act within the State of Texas with reference to the barber shop trade industry; defining certain terms used in the bill; providing for application to the State Board of Barber Examiners by person, group and/or concern engaged in the barber shop trade industry in counties or trade areas within the State of Texas for the setting up of a code, codes, or agreement; authorizing a local Barber Shop Trade Industry Board in said county or trade areas after hearing to set up and promulgate a code, codes, or agreement for fair competition of the barber shop trade industry, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hofheinz, Mr. Howard, Mr. Jones of Shelby, Mr. Patterson, Mr. Hardin, Mr. Wood of Harrison, and Mr. Settle:

H. B. No. 234, A bill to be entitled "An Act to amend Section 6 of Chapter 65, General Laws, Forty-first Legislature, First Called Session, as amended by Section 3 of Chapter 15, General Laws, Forty-first Legislature, Fifth Called Session; Section 24 of Chapter 65, General Laws, Forty-first Legislature, First Called Session, as amended by Section 1 of Chapter 235, General Laws, Forty-third Legislature, Regular Session, and Section 26 of Chapter 65, General Laws, Forty-first Legislature, First Called Session, relating to regulating the avocation and art of barbering; prescribing such sanitary rules and regulations in order to insure the proper sanitary conditions and to prevent the spreading of diseases; providing character of certificate required of persons who only cut hair; providing that the violation of Section 6 is also punishable under Section 24 of this Act, etc., and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Russell and Mr. Beck:

H. B. No. 235, A bill to be entitled "An Act relating to occupation tax on the production of salt, providing for an occupation tax of one dollar (\$1) per long ton of all salt produced within the State of Texas; providing for reports and records; imposing forfeitures and penalties for failure to keep

records; providing penalties for failure to pay tax; directing the bringing of suit for the recovery of taxes, penalties and interest, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Graves:

H. B. No. 236, A bill to be entitled "An Act amending Chapter 8, Title 42, of the Revised Statutes of 1925, by adding an article empowering the judge to change venue on his own motion."

Referred to Committee on Judiciary.

By Mr. Graves:

H. B. No. 237, A bill to be entitled "An Act amending Article 2237 of the Revised Statutes by dispensing with bills of exception on written motions, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves:

H. B. No. 238, A bill to be entitled "An Act providing for waiver of defects, omissions and faults in pleading, repealing all conflicting laws, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves:

H. B. No. 239, A bill to be entitled "An Act amending subdivision 5 of Article 1995 of the Revised Civil Statutes of the State of Texas, 1925, by distinctly specifying that the county for the performance of the obligation which is involved in the suit, must be named by the writing expressly, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves:

H. B. No. 240, A bill to be entitled "An Act withdrawing from appearing party review in Court of Civil Appeals by means of writ of error, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves:

H. B. No. 241, A bill to be entitled "An Act to give further certainty to appellate jurisdiction by adding to the Revised Statutes, Article 1840a, providing for waiver and cure of objection as to the various notices and

bonds required for its perfection, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves and Mr. Jones of Wise:

H. B. No. 242, A bill to be entitled "An Act to amend Article 1856, Revised Civil Statutes of the State of Texas so as to confine reversals of errors to substance and merit, by adding thereto certain provisos to the effect that the Courts of Civil Appeals shall not reverse a judgment for errors not calculated to cause and which probably did not cause rendition of an improper judgment, or probably prevented appellant from making a proper presentation of the case on appeal; and authorizing reversal only of part of matter in controversy where severable from other parts, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves:

H. B. No. 243, A bill to be entitled "An Act amending Article 308 of the Revised Statutes by adding thereto provision that attorneys from other jurisdictions shall be required to pass the examination given to other applicants, with exception respecting participation by such attorneys in the trial or hearing of any particular case wherein a resident practicing attorney of Texas is actually employed, associated and personally participating; repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves:

H. B. No. 244, A bill to be entitled "An Act creating a State Bar, defining the powers thereof, constituting it an administrative agency of the judicial department of the State; prescribing the membership thereof, prohibiting non-members and persons suspended therefrom from practicing law, empowering the Supreme Court to adopt and promulgate rules and regulations for the conduct thereof, code of ethics governing the conduct of members and the practice of law, establishing practice and procedure for disciplining, suspending, and disbaring attorneys-at-law, prescribing the fees to be paid by members, collection and disbursement thereof;

providing for repeal of all laws in conflict, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Spears:

H. B. No. 245, A bill to be entitled "An Act amending subdivision 40a, Section 1, Chapter 212, House Bill No. 251, Acts Regular Session, Forty-second Legislature; levying a tax upon persons, firms, or corporations who produce sulphur; providing for the making of sworn quarterly reports to the Comptroller; providing that the occupation tax on sulphur to be two dollars (\$2) per long ton, and the collection of same, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Settle:

H. B. No. 246, A bill to be entitled "An Act amending Article 7060, of the Revised Civil Statutes of 1925, as amended by Chapter 34, Acts of the Fifth Called Session of the Forty-first Legislature, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hankamer, Mr. Clayton, and Mr. Jackson:

H. B. No. 247, A bill to be entitled "An Act amending Article 5449 of the 1925 Revised Civil Statutes of Texas, so as to provide that liens created by the abstracting and recording of judgments shall exist as long as the judgment is alive, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Settle:

H. B. No. 248, A bill to be entitled "An Act amending Article 7075, Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Leonard, Mr. Good, and Mr. Butler of Brazos:

H. B. No. 249, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the Attorney General's Department for the balance of the fiscal year ending

August 31, 1935, and declaring an emergency."

Referred to Committee on Appropriations.

# MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, January 22, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 109, A bill to be entitled "An Act providing that in counties having a population of more than 48,000, as shown by the Federal Census of 1930, and containing a city of more than 10,000 population, as shown by the Federal Census of 1930, located in a justice precinct other than that in which is located the county site in such county, the sheriff of such county may appoint as many deputies as the commissioners court of such county may deem necessary, and declaring an emergency."

Also adopted

H. C. R. No. 13, Relative to House Bill No. 7, passed at the Fourth Called Session of the Forty-third Legislature, with amendments.

H. C. R. No. 14, Inviting Hon. Will Rogers to address a Joint Session of the Legislature.

Respectfully,

**BOB BARKER,**  
Secretary of the Senate.

# HOUSE CONCURRENT RESOLUTION NO. 13 WITH SENATE AMENDMENTS

Mr. Pope called up from the Speaker's table, for consideration at this time,

H. C. R. No. 13, Providing that House Bill No. 7, as passed by the Fourth Called Session, Forty-third Legislature, shall become effective immediately; with Senate amendments.

The Speaker laid the resolution before the House, with the Senate amendments.

On motion of Mr. Pope, the House concurred in the Senate amendments by the following vote:

Yeas—126

Adamson	Alexander
Adkins	Alsup
Aikin	Ash

Atchison	Jones of Shelby
Bergman	Jones of Wise
Bourne	King
Bradbury	Knetsch
Bradford	Lanning
Burton	Latham
Butler of Karnes	Leath
Cagle	Leonard
Caldwell	Lindsey
Calvert	Lotief
Canon	Lucas
Clayton	Luker
Collins	Mauritz
Colquitt	McCalla
Cowley	McConnell
Craddock	McFarland
Crossley	McKee
Daniel	Moffett
Davis	Moore
Davison of Fisher	Morris
Dickison	Morrison
Dunlap of Hays	Morse
Duvall	Newton
Dwyer	Nicholson
England	Olsen
Fain	Padgett
Farmer	Palmer
Fisher	Patterson
Fitzwater	Pope
Ford	Quinn
Fox	Reed of Bowie
Frazer	Reed of Dallas
Fuchs	Riddle
Gibson	Roach of Angelina
Glass	Roach of Hunt
Good	Roane
Gray	Roark
Hankamer	Rogers
Hardin	Russell
Harris of Archer	Rutta
Harris of Dallas	Settle
Head	Shofner
Herzik	Smith
Hill	Stanfield
Hodges	Steward
Hofheinz	Stinson
Holland	Stovall
Hoskins	Tarwater
Howard	Tennyson
Huddleston	Thornton
Hughes	Tillery
Hunt	Venable
Hunter	Waggoner
Hyder	Walker
Jackson	Wells
James	Westfall
Jefferson	Wood of Montague
Jones of Atascosa	Worley
Jones of Falls	Young
Jones of Runnels	Youngblood

# Absent

Beck	Davisson
Butler of Brazos	of Eastland
Celaya	Dunagan
Colson	Dunlap of Kleberg

Graves	Lemens
Hartzog	Payne
Keefe	Petsch
Lange	Wood of Harrison

Absent—Excused

Broyles	Roberts
Cooper	Scarborough
Greathouse	Spears
Reader	

#### RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 5, Accepting an invitation to attend a barbecue to be given by the Llano Chamber of Commerce.

H. C. R. No. 14, Inviting Will Rogers, humorist, to address the Legislature.

H. C. R. No. 13, To provide that House Bill No. 7, as passed by the Fourth Called Session, Forty-third Legislature, shall be effective immediately.

#### PROVIDING FOR THE PRINTING OF CERTAIN REPORT

Mr. Jefferson offered the following resolution:

Whereas, At the Third Called Session of the Forty-third Legislature, under the provisions of House Concurrent Resolutions Nos. 12 and 37, of said session, the Legislative Investigating Committee on Salt Water Fisheries and Marine Taxation, was appointed and assigned to the duty of studying all questions pertaining to our commercial fisheries, salt water conditions, matters relating to the opening and closing of bays and to investigate all questions concerning which dissatisfaction exists among residents of the Texas coastal areas as to our system of taxation of marine products, the use of nets and seines, as well as the administration of existing laws pertaining to the salt water operations of the Game, Fish, and Oyster Commission; and

Whereas, Said committee has made a careful, thorough, and diligent investigation of all matters and subjects hereinabove referred to, and has compiled invaluable information, which is of the utmost importance at

this time to the members of the Legislature; and

Whereas, The appropriation allowed said committee was wholly inadequate to pay for the publication of its report and no provision was made for the publication thereof; and

Whereas, Said information can only become available to the members of the Legislature and citizens of the State by having said report printed; therefore, be it

Resolved, That the report of said Legislative Investigating Committee on Salt Water Fisheries and Marine Taxation, now in the custody of the chairman of said committee, be printed as a separate appendix to the House Journal, and that the Chief Clerk of the House of Representatives be instructed to secure such printing under the supervision of the committee's chairman, and that three thousand copies of said report be printed, and it is hereby so ordered.

The resolution was read second time.

Mr. Reed of Bowie moved that the resolution be referred to the Committee on Contingent Expenses.

Mr. Patterson moved to table the motion to refer the resolution.

The motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on Contingent Expenses, it prevailed.

#### ADDRESS BY MR. PAUL KING

In accordance with the provision of a resolution adopted on yesterday inviting Mr. Paul King, president of the International Society for Crippled Children, to address the House at 10:30 a. m., today, Speaker Stevenson presented Hon. Jack Padgett of Travis County.

Mr. Padgett introduced Mr. Paul King, who addressed the House.

#### MESSAGE FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,  
Austin, Texas, January 22, 1935.  
To the Forty-fourth Legislature of  
the State of Texas:

I hereby submit to you as an emergency matter for your immediate consideration, an emergency appropriation for the Attorney General's Department of the State Government covering the items of expenditures therein enumerated and recommend that the same receive your favorable consideration.

The Attorney General's Department is put to a great amount of expense in defending the numerous suits authorized by the Legislature to be filed against the State of Texas and the State Highway Department for damages in the various counties in the State.

I also call your attention to the fact that the Attorney General's Department has recently been required to expend a greater amount of money than would have been ordinarily the case in the enforcement of oil and gas laws, making it necessary that its regular appropriation be supplemented as set out in the bill herewith submitted.

Respectfully submitted,  
JAMES V. ALLRED,  
Governor of Texas.

#### HOUSE BILL NO. 226 ON SECOND READING

On motion of Mr. Latham, the Twenty-four Hour House Rule relative to the consideration of printed bills, was suspended for the purpose of considering, at this time, House Bill No. 226.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 226, A bill to be entitled "An Act amending House Bill No. 49, Chapter 23, enacted by the First Called Session of the Forty-second Legislature, and brought forward in the codification of the statutes as Section 124 of Article 199, Revised Statutes; creating the One Hundred and Twenty-fourth Judicial District to be constituted of Gregg County, Texas, only; providing for the terms thereof; providing that such amendment should take the place of House Bill No. 49, Chapter 23, Section 124, of Article 199, enacted by the First Called Session of the Forty-second Legislature; providing that such amendment, in so far as it affects the creation of the One Hundred and Twenty-fourth Judicial District of

Gregg County, Texas, the appointment of a suitable judge therefor, and other matters relating to the duties of said court, or affecting the same, should not become operative until August 13, 1935, etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 226 ON THIRD READING

Mr. Latham moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 226 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adamson	Hankamer
Aikin	Hardin
Alexander	Harris of Archer
Ash	Head
Atchison	Herzik
Beck	Hill
Bergman	Hodges
Bourne	Hofheinz
Bradbury	Holland
Bradford	Howard
Burton	Huddleston
Butler of Brazos	Hughes
Caldwell	Hunt
Canon	Jackson
Clayton	James
Colson	Jones of Atascosa
Cowley	Jones of Falls
Craddock	Jones of Runnels
Crossley	Jones of Shelby
Daniel	Jones of Wise
Davis	Keefe
Davison of Fisher	King
Davisson	Lanning
of Eastland	Latham
Dunagan	Leath
Dunlap of Hays	Lemens
Duvall	Lindsey
Dwyer	Lotief
England	Lucas
Fain	Mauritz
Farmer	McCalla
Fisher	McConnell
Fitzwater	McFarland
Ford	Moffett
Fox	Moore
Frazer	Morris
Fuchs	Newton
Gibson	Nicholson
Glass	Olsen
Good	Padgett
Graves	Palmer
Gray	Patterson

Payne	Stinson
Pope	Stovall
Reed of Bowie	Tarwater
Reed of Dallas	Tennyson
Riddle	Thornton
Roach of Angelina	Tillery
Roach of Hunt	Venable
Roark	Waggoner
Rogers	Walker
Russell	Wells
Rutta	Westfall
Settle	Wood of Harrison
Shofner	Wood of Montague
Smith	Worley
Stanfield	Young
Steward	Youngblood

## Nays—5

Butler of Karnes	Morrison
Colquitt	Roane
Hoskins	

## Present—Not Voting

Luker

## Absent

Adkins	Hunter
Alsup	Hyder
Cagle	Jefferson
Calvert	Knetsch
Celaya	Lange
Collins	Leonard
Dickison	McKee
Dunlap of Kleberg	Morse
Harris of Dallas	Petsch
Hartzog	Quinn

## Absent—Excused

Broyles	Roberts
Cooper	Scarborough
Greathouse	Spears
Reader	

The Speaker than laid House Bill No. 226 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—110

Adamson	Daniel
Ash	Davis
Atchison	Davison of Fisher
Beck	Davisson
Bergman	of Eastland
Bourne	Dunagan
Bradbury	Duvall
Bradford	Dwyer
Butler of Brazos	England
Cagle	Fain
Caldwell	Farmer
Canon	Fisher
Clayton	Fitzwater
Cowley	Fox
Craddock	Frazer
Crossley	Fuchs

Gibson	Morris
Glass	Morse
Good	Newton
Graves	Nicholson
Gray	Olsen
Hankamer	Padgett
Harris of Archer	Patterson
Head	Payne
Hill	Pope
Hodges	Reed of Bowie
Hofheinz	Reed of Dallas
Holland	Roach of Angelina
Howard	Roach of Hunt
Huddleston	Roane
Hughes	Roark
Hunt	Rogers
Hyder	Russell
Jackson	Rutta
James	Settle
Jones of Atascosa	Shofner
Jones of Falls	Smith
Jones of Runnels	Stanfield
Jones of Shelby	Steward
Jones of Wise	Stinson
Keefe	Stovall
King	Tarwater
Lanning	Tennyson
Latham	Thornton
Leath	Tillery
Lemens	Venable
Leonard	Waggoner
Lindsey	Walker
Lotief	Wells
Lucas	Westfall
Mauritz	Wood of Harrison
McCalla	Wood of Montague
McConnell	Worley
McFarland	Young
Moffett	Youngblood
Moore	

## Nays—8

Aikin	Colquitt
Alexander	Hardin
Burton	Hoskins
Butler of Karnes	Morrison

## Absent

Adkins	Herzik
Alsup	Hunter
Calvert	Jefferson
Celaya	Knetsch
Collins	Lange
Colson	Luker
Dickison	McKee
Dunlap of Hays	Palmer
Dunlap of Kleberg	Petsch
Ford	Quinn
Harris of Dallas	Riddle
Hartzog	

## Absent—Excused

Broyles	Roberts
Cooper	Scarborough
Greathouse	Spears
Reader	



### ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following were added as signers of bills, as follows:

Mr. Colquitt, House Bill No. 191.

Mr. Thornton, House Bills Nos. 98, 99, and 100.

Mr. Youngblood, House Bills Nos. 10, 30, 31, 32, 33, 75, and 155.

Mr. Fisher, House Bill No. 73.

Mr. Adamson, House Bill No. 86.

Mr. Frazer, House Bill No. 97.

Messrs. Lindsey, Davis, Fitzwater, Davison of Fisher, and Jones of Runnels, House Bill No. 54.

Mr. Bergman, House Bill No. 141.

### SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 109, to the Committee on Counties.

### ADJOURNMENT

On motion of Mr. Olsen, the House, at 11:30 o'clock a. m., adjourned until 10 o'clock a. m., tomorrow.

### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Criminal Jurisprudence: House Bill No. 55.

Banks and Banking: House Bill No. 135.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, January 22, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 226, A bill to be entitled "An Act amending House Bill No. 49,

Chapter 23, enacted by the First Called Session of the Forty-second Legislature, and brought forward in the codification of the statutes as Section 124 of Article 199, Revised Statutes; creating the One Hundred and Twenty-fourth Judicial District to be constituted of Gregg County, Texas, only; providing for the terms thereof; providing that such amendment should take the place of House Bill No. 49, Chapter 23, Section 124, of Article 199, enacted by the First Called Session of the Forty-second Legislature; providing that such amendment, in so far as it affects the creation of the One Hundred and Twenty-fourth Judicial District of Gregg County, Texas, the appointment of a suitable judge therefor, and other matters relating to the duties of said court, or affecting the same, should not become operative until August 13, 1935, etc., and declaring an emergency,"

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, January 22, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 14, Inviting the Hon. Will Rogers to address the Legislature,

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, January 22, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 13, Providing for taking effect of House Bill No. 7, passed at the Fourth Called Session of the Forty-third Legislature,

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

## In Memory of

# Hon. Adolph P. Stautzenberger

---

Mr. Knetsch offered the following resolution:

Whereas, Hon. Adolph P. Stautzenberger of Seguin, Guadalupe County, Texas, was a member of the House of Representatives of the Thirty-ninth Legislature of the State of Texas; and

Whereas, He departed this life on the 15th day of January, 1935, at his home in Seguin; and

Whereas, He served as an able and diligent member of the House of Representatives during his tenure of office; and

Whereas, He was not only a good citizen of his county and district but also rendered unselfish service in behalf of the State of Texas for many years. Now, therefore, be it

Resolved, That the House of Representatives of the State of Texas regrets his untimely passing and hereby express sympathy to his bereaved. Be it further

Resolved, That this resolution be printed in the Journal, and a copy thereof be sent to his surviving widow, Mrs. A. P. Stautzenberger, of Seguin, Texas.

KNETSCH.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Atascosa, Jones of Falls, Jones of Runnels, Jones of Shelby, Jones of Wise, Keefe, King, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Worley, Young, Youngblood.

The resolution was read second time.

On motion of Mr. Hoskins, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.



## In Memory of Uncle Jim

---

Mr. Stovall offered the following resolution:

Whereas, It has pleased the Ruler of the Universe to remove from our midst our much-beloved and admired friend and Journal Clerk, Uncle Jim Robinson, who departed this life on the twenty-seventh day of November, 1934; and

Whereas, He was of a pioneer family, and the son of a Confederate soldier, born in a lonely Texas home while his father was fighting for the cause dear to the hearts of all Southerners; and

Whereas, He had contributed of his time and intellect to the upbuilding of his native State; and

Whereas, He was of a lovable and noble type of man who drew all to him in admiration and respect; and

Whereas, His congeniality and nobleness of character was so broad that it was a universal custom of the Pages of this House to gather about him and vie with one another for his respect and admiration; and

Whereas, He had lived to the ripe age of seventy-two years and had devoted more than forty years of this time to the duties of Journal Clerk, a position worthily and efficiently held by him at the time of his death; therefore, be it

Resolved, That the Legislature of the State of Texas deplores the loss of so great and good a man as Uncle Jim Robinson, and express their love and sympathy to the members of his family, and ask that a page of the Journal of the House be devoted to his memory, and that a copy of this resolution be sent by the Chief Clerk to the immediate members of his family.

STOVALL,  
JAMES,  
YOUNG,  
WELLS,  
HEAD.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, Jefferson, Jones of Atascosa, Jones of Falls, Jones of Runnels, Jones of Shelby, Jones of Wise, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Westfall, Wood of Harrison, Wood of Montague, Worley, Youngblood.

On motion of Mr. Daniel, the resolution was ordered placed on the front page of the Journal.

On motion of Mr. Walker, the names of all the members of the House were added as signers of the resolution, and a picture of Mr. Robinson was ordered printed with the resolution.

The resolution was read second time, and was unanimously adopted.